

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2111

By COMMITTEE ON HEALTH CARE, HUMAN SERVICES AND RURAL HEALTH
POLICY

May 17

1 On page 1 of the printed A-engrossed bill, line 2, delete “and” and after “ORS” insert “147.450,
2 147.453, 409.290, 409.292, 409.296,”.

3 In line 3, after “433.142” insert “; and declaring an emergency”.

4 On page 9, after line 44, insert:

5 **“SECTION 10. (1) As used in this section:**

6 **“(a) ‘Dating’ or ‘dating relationship’ means an ongoing social relationship of a romantic**
7 **or intimate nature between two persons.**

8 **“(b) ‘Teen dating violence’ means:**

9 **“(A) A pattern of behavior in which a person uses or threatens to use physical, mental**
10 **or emotional abuse to control another person who is in a dating relationship with the person,**
11 **where one or both persons are 13 to 19 years of age; or**

12 **“(B) Behavior by which a person uses or threatens to use sexual violence against another**
13 **person who is in a dating relationship with the person, where one or both persons are 13 to**
14 **19 years of age.**

15 **“(2) Each school district board shall adopt a policy that:**

16 **“(a) States that teen dating violence is unacceptable and is prohibited and that each**
17 **student has the right to a safe learning environment;**

18 **“(b) Incorporates age-appropriate education about teen dating violence into existing**
19 **training programs for students in grades 7 through 12 and school employees;**

20 **“(c) Establishes procedures for the manner in which employees of a school are to respond**
21 **to, investigate and impose discipline and make reports related to any incidents of teen dating**
22 **violence that take place at the school, on school grounds, at school-sponsored activities or**
23 **in vehicles used for school-provided transportation;**

24 **“(d) Identifies by job title the school officials who are responsible for receiving reports**
25 **related to teen dating violence and are available to address concerns regarding relationships**
26 **that may result in teen dating violence, which shall be the same school officials identified in**
27 **the policy adopted by a school district under ORS 339.356; and**

28 **“(e) Notifies students and parents of the teen dating violence policy adopted by the board.**

29 **“(3) The policy adopted under subsection (2) of this section must be included in and con-**
30 **sistent with the policy adopted by a school district under ORS 339.356.**

31 **“SECTION 11. ORS 147.450 is amended to read:**

32 **“147.450. As used in ORS 147.450 to 147.471:**

33 **“(1) ‘Domestic violence’ has the meaning given that term in ORS 135.230 and includes teen**
34 **dating violence.[; and]**

35 **“(2) ‘Sexual assault’ means any unwanted sexual contact as defined in ORS 163.305.**

1 “(3) **‘Teen dating violence’ means:**

2 “(a) **A pattern of behavior in which a person uses or threatens to use physical, mental**
3 **or emotional abuse to control another person who is in a dating relationship with the person,**
4 **where one or both persons are 13 to 19 years of age; or**

5 “(b) **Behavior by which a person uses or threatens to use sexual violence against another**
6 **person who is in a dating relationship with the person, where one or both persons are 13 to**
7 **19 years of age.**

8 “SECTION 12. ORS 147.453 is amended to read:

9 “147.453. There is established in the State Treasury, separate and distinct from the General
10 Fund, the Oregon Domestic and Sexual Violence Services Fund. All moneys in the fund are contin-
11 uously appropriated to the Department of Justice and shall be used by the department to carry out
12 a program of domestic and sexual violence services that:

13 “(1) Provides safety for and assists victims of domestic violence and sexual assault, promotes
14 effective intervention and reduces the incidence of domestic violence and sexual assault;

15 “(2) Advocates for victims and for domestic violence and sexual assault services; [and]

16 “(3) Promotes and facilitates interagency and interdepartmental cooperation among state agen-
17 cies, including the Department of Human Services, and among different levels of government in this
18 state in the delivery and funding of services[.]; and

19 “(4) **Encourages and supports services, programs and curricula to educate and inform**
20 **students in grades 7 through 12 about teen dating violence, to provide assistance to victims**
21 **of teen dating violence and to prevent and reduce the incidence of teen dating violence.**

22 “SECTION 13. ORS 409.290 is amended to read:

23 “409.290. As used in ORS 409.290 to 409.300, unless the context requires otherwise:

24 “(1) ‘Crisis line’ means an emergency telephone service staffed by persons who are trained to
25 provide emergency peer counseling, information, referral and advocacy to victims of [*domestic*]
26 **family or teen dating** violence and their families.

27 “(2) ‘Director’ means the Director of Human Services.

28 “(3) ‘Family violence’ means the physical injury, sexual abuse or forced imprisonment, or threat
29 thereof, of a person by another who is related by blood, marriage or intimate cohabitation at the
30 present or has been related at some time in the past, to the extent that the person’s health or wel-
31 fare is harmed or threatened thereby, as determined in accordance with rules prescribed by the di-
32 rector.

33 “(4) ‘Safe house’ means a place of temporary refuge, offered on an ‘as needed’ basis to victims
34 of [*domestic*] **family** violence and their families.

35 “(5) ‘Shelter home’ means a place of temporary refuge, offered on a 24-hour, seven-day per week
36 basis to victims of [*domestic*] **family** violence and their children.

37 “(6) **‘Teen dating violence’ means:**

38 “(a) **A pattern of behavior in which a person uses or threatens to use physical, mental**
39 **or emotional abuse to control another person who is in a dating relationship with the person,**
40 **where one or both persons are 13 to 19 years of age; or**

41 “(b) **Behavior by which a person uses or threatens to use sexual violence against another**
42 **person who is in a dating relationship with the person, where one or both persons are 13 to**
43 **19 years of age.**

44 “SECTION 14. ORS 409.292 is amended to read:

45 “409.292. (1) The Director of Human Services may make grants to and enter into contracts with

1 nonprofit private organizations or public agencies for programs and projects designed to prevent,
2 identify and treat family **and teen dating** violence. Grants or contracts under this subsection may
3 be:

4 “(a) For the funding of shelter homes for spouses and children who are or have experienced
5 family violence including acquisition and maintenance of shelter homes;

6 “(b) For the funding of crisis lines providing services to victims of [*domestic*] **family or teen**
7 **dating** violence and their families;

8 “(c) For the funding of safe houses for victims of [*domestic*] **family** violence and their families;
9 [*and*]

10 “(d) **For the funding of services, programs and curricula to educate and inform students**
11 **in grades 7 through 12 about teen dating violence, to provide assistance to victims of teen**
12 **dating violence and to prevent and reduce the incidence of teen dating violence; and**

13 “[*d*] (e) For the development and establishment of programs for professional and
14 paraprofessional personnel in the fields of social work, law enforcement, education, law, medicine
15 and other relevant fields who are engaged in the field of the prevention, identification and treatment
16 of family **and teen dating** violence and training programs in methods of preventing family **and teen**
17 **dating** violence.

18 “(2) The director shall not make a grant to any organization or agency under this section except
19 on the condition that a local governmental unit or community organization provide matching moneys
20 equal to 25 percent of the amount of the grant. The applying organization itself may contribute to
21 or provide the required local matching funds. The value of in kind contributions and volunteer labor
22 from the community may be computed and included as a part of the local matching requirement
23 imposed by this subsection.

24 “(3) Notwithstanding the provisions of ORS 192.001 to 192.170, 192.210 to 192.505 and 192.610 to
25 192.990:

26 “(a) The director may by rule provide that the locations of premises utilized for shelter homes
27 or other physical facilities in family violence programs and projects shall be kept confidential.

28 “(b) All information maintained by the shelter home, safe house or crisis line relating to clients
29 is confidential. However, crisis lines specifically funded to provide services for victims of child abuse
30 are subject to the requirements of ORS 419B.005 to 419B.050. Except for the names of clients, nec-
31 essary information may be disclosed to the director.

32 “**SECTION 15.** ORS 409.296 is amended to read:

33 “409.296. (1) A public agency or nonprofit private organization [*operating a shelter home or safe*
34 *house*] may apply to the Director of Human Services for a grant under ORS 409.292. The agency or
35 organization must submit to the director, at the time of application:

36 “(a) A statement of services provided;

37 “(b) Proof of maintenance of accurate and complete financial records;

38 “(c) Assurance of compliance with local building, fire and health codes for existing structures;

39 “(d) Clearly defined written intake and referral policies and procedures; and

40 “(e) If operated by a private organization, a list of members of the governing board.

41 “(2) The director shall approve or reject applications within 60 days after receipt. The director
42 shall mail written notification to the applicant no later than five working days following final action
43 taken on the application.

44 “(3) The director shall consider the geographic area of the state from which an application is
45 submitted to the end that all areas of the state develop programs to deal with [*domestic*] **family and**

1 **teen dating** violence.

2 **“SECTION 16. Section 9 of this 2011 Act and the amendments to ORS 433.001, 433.121,**
3 **433.123, 433.126, 433.128, 433.133 and 433.142 by sections 1 to 7 of this 2011 Act become opera-**
4 **tive on January 1, 2012.**

5 **“SECTION 17. This 2011 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
7 **on its passage.”.**

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